

FILEDUNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

UNITED STATES DISTRICT COURT

for the
District of New Mexico

DEC 14 2022

MITCHELL R. ELLERS
CLERK OF COURTIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)A Hyundai Palisade bearing Texas License plate number
RPK 9311 (more fully described below)

Case No. 22-1872 mrc

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

2022 White Hyundai Palisade bearing Texas license plate number RPK 9311, registered to Alejandra Rivera at 14290 Hacienda Rock, El Paso, Tx 79938.

located in the _____ District of _____ New Mexico, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, which is attached and fully incorporated herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
18 U.S.C. 1709Offense Description
Theft of Mail Matter by Officer or Employee

The application is based on these facts:

See Attachment A, which is attached and fully incorporated herein.

- ☐ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Tony Surodjawan
Applicant's signatureTony Surodjawan, Special Agent, USPS-OIG
Printed name and titleAttested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone _____ (specify reliable electronic means).

Date: 12/14/2022

Stephan M. Vidmar
Judge's signature

City and state: Las Cruces, New Mexico

Stephan M. Vidmar, United States Magistrate Judge
Printed name and title

ATTACHMENT A

AFFIDAVIT AND STATEMENT OF PROBABLE CAUSE

I, Tony Surodjawan, being duly sworn, hereby depose and say:

1. I am a Special Agent with the United States Postal Service Office of the Inspector General and have been so employed since 2014. I am currently assigned to Albuquerque Resident Office. My responsibilities include investigating crimes related to the U.S. Postal Service (USPS) and the U.S. Mail, including the detection and prevention of the theft of U.S. Mail. I am tasked with conducting mail theft investigations and executing arrests of individuals for violations of Title 18, United States Code, Sections 1709 (Theft of Mail Matter by Officer or Employee).

2. This Affidavit is made in support of an application for a search warrant for a Hyundai Palisade bearing Texas License plate number RPK 9311 (hereinafter referred to as the "SUBJECT VEHICLE"). The SUBJECT VEHICLE is believed to contain mail and proceeds from the theft of U.S. Mail.

3. SUBJECT VEHICLE is further described as follows:

a. SUBJECT VEHICLE: 2022 White Hyundai Palisade bearing Texas license plate number RPK 9311, registered to Alejandra Rivera at 14290 Hacienda Rock, El Paso, Tx 79938.

BACKGROUND

4. From my training and experience, as well as the training and experience of other Postal Inspectors who investigate mail theft, I am aware that, at times, USPS employees steal mail or parcels rather than having them delivered to the intended recipients. I am aware that USPS employees who steal mail or parcels often keep the contents of those mail parcels. When

the stolen mail or parcels contain gift cards, the employee who has stolen the mail or parcels often uses the gift cards to purchase items for their personal use.

5. From my training, personal experience, and the collective experiences related to me by other Postal Inspectors who specialize in investigations relating to mail theft, I am aware that, when a USPS employee has stolen mail or parcels, those items are typically transported away from the post office to in the individual's personal vehicle. I am also aware that individuals often store or leave such stolen items in their personal vehicles in order to have ready access to them before or after work.

RELEVANT FACTS PERTAINING TO THE SUBJECT PARCEL

6. On September 13, 2022, I was notified by USPS customer in Anthony, NM, that he had not received multiple pieces of mail that he was expecting and that he believed had been stolen. The customer advised that several of items that were never delivered to him and which he believed had been stolen were gift cards.

7. On September 23, 2022, I had multiple "integrity tests" sent to addresses in the Anthony, NM zip code to nonexistent addresses. The "integrity tests" contained Target gift cards. If handled properly, the mail should be sent back to the return address because the addresses to which the mail was sent do not exist.

8. On November 1, 2022, I was notified that Target gift card bearing serial number 041-301-409-900-266, which had been contained in one of the "integrity tests," was used at a Target Store in El Paso, TX on October 20, 2022.

9. On November 3, 2022, I received video surveillance from the October 20, 2022, transaction for the Target gift card bearing serial number 041-301-409-900-266. A review of the surveillance video shows a female wearing a USPS uniform using the Target gift card.

10. On November 7, 2022, I reviewed the surveillance video with the Anthony Postmaster Veronica Calzada. Calzada identified the individual using the Target gift card described above in El Paso, TX, as USPS employee Alejandra Rivera. Alejandra Rivera is employed at the Anthony, New Mexico, post office, which is the post office that would have processed the “integrity test” which contained the Target gift card.

11. On November 7, 2022, Anthony Postmaster Calzada and I also reviewed surveillance video from the Target parking lot in El Paso, Texas, where the gift card was used. Calzada identified a white vehicle in the surveillance video as belonging to Alejandra Rivera. The images were not clear enough for me to see a license plate on the vehicle, but the vehicle appeared in every way visible to match the **SUBJECT VEHICLE**.

12. On December 14, 2022, I visited the post office in Anthony, New Mexico. Alejandra Rivera was present and working at the post office at the time of my visit. In the employee parking lot, I located the **SUBJECT VEHICLE**, which is registered to Rivera and which Postmaster Calzada recognized as the vehicle that Rivera typically drives to work. Looking through the back window of the **SUBJECT VEHICLE**, I could see a USPS parcel addressed to a “Fernando Orozco; 1175 Yucatan Pl., Anthony, NM 88021.” As this parcel was in Rivera’s vehicle but addressed to another individual, I believe that this parcel is likely stolen.

13. On December 14, 2022, Anthony Postmaster Veronica Calzada advised that the Anthony Post Office has had numerous parcels reported missing in the past few months.

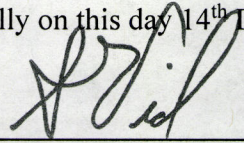
CONCLUSION

14. Based on these facts, there is probable cause to believe that the **SUBJECT VEHICLE** described in Paragraph 3 above contains stolen mail and other evidence of violations of Title 18, United States Code, Sections 1709 (Theft of Mail Matter by Officer or Employee).

Tony Surodjawan

Special Agent Tony Surodjawan
United States Postal Service Office of Inspector General

Subscribed and sworn to before me telephonically on this day 14th December, 2022.



HONORABLE STEPHAN M. VIDMAR
United States Magistrate Judge

ATTACHMENT B

PARTICULAR THINGS TO BE SEIZED/INFORMATION TO BE RETRIEVED

The particular things to be seized include all items and records located in the **SUBJECT VEHICLE** (a 2022 White Hyundai Palisade bearing Texas license plate number RPK 9311 registered to Alejandra Rivera at 14290 Hacienda Rock, El Paso, Tx 79938) that are related to violations of 18 U.S.C. § 1709, by Alejandra Rivera, including:

1. Any mail or parcels not addressed to Alejandra Rivera;
2. Gift cards, checks, cash, or other items that may have been contained in stolen mail or parcels;
3. Items which may have been purchased with gift cards, cash, or checks contained in stolen mail or parcels and the receipts for those items;
4. Items which show ownership and control over the **SUBJECT VEHICLE**; and,
5. Paperwork, identification documents, and other items which demonstrate Alejandra Rivera's employment by the United States Postal Service.